



RECEIVED  
NOV 13 2006  
SOUTH DAKOTA PUBLIC  
UTILITIES COMMISSION

**CITY OF BRANDON**

304 Main Avenue,  
P.O. Box 95,  
Brandon, SD 57005  
Telephone: (605) 582-6515  
FAX: (605) 582-6831

11-08-06

Public Utilities Commission  
500 East Capitol  
Pierre, SD, 57501  
Attn: SD One Call Board.

Property descriptions:

Address # 1 : 213 Fairway Cir., Brandon, SD 57005

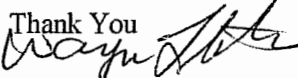
Legal description: Tract 8 Grandview Heights Addition  
NE ¼ 34 102 48  
County Map # 1173520002600  
Reference map lot # 200-026

Address # 2: 205 Fairway Ave, Brandon, SD 57005

Legal description: Lot 23 Block 1, Country Club 2<sup>nd</sup> Addition  
NE ¼ 34 102 48  
County Map # 11735226001000  
Reference map lot # 226-001

I am filing the following report about Jeremy Scadden Const. I and city staff have visited the sites in question and have observed and we have taken photos on 11-08-06 & 11-09-06, showing excavation on these properties. I have researched documentation from the SD One Call web site and found there are no record of any one calls made for this site.

I would submit this to the board and if there are any questions, please feel free to contact me.

Thank You  
  
Wayne Fletcher  
Director of Public Works  
City of Brandon  
304 Main Ave  
PO Box 95  
Brandon, SD.57005-0095  
605-582-2273 office  
605-351-6464 cell  
605-582-7493 fax  
[wfletcher@cityofbrandon.org](mailto:wfletcher@cityofbrandon.org)

This letter is for the activity that I witnessed happening at 205 & 213 Fairway Dr. On 11-8-06, I witnessed & took pictures of Scadden Construction excavating dirt from the lot of 213 Fairway. They have been removing dirt from this lot for approximately 4 days. I took the pictures on 11-8-06. I know that there was no S.D. One Call for this project at either address. This was written on 11-9-06.

Rollie Hoeke

*Rollie Hoeke*

*11-9-06*

# ONE CALL TICKET SEARCH

A SERVICE OF ONE CALL SYSTEMS, INC.

Logout | Wayne Fletcher

Text Size: [XX-Small](#)

## Search Options

<input checked="" type="checkbox"/> CDC:	<a href="#">BRA</a>	<input type="checkbox"/> County:	<a href="#">AURORA</a>	<input checked="" type="checkbox"/> Receipt Date:	<a href="#">09/01/2006</a>	to	<a href="#">11/08/2006</a>
<input type="checkbox"/> Ticket#:		<input type="checkbox"/> Town:		<input checked="" type="checkbox"/> Excavator:	<a href="#">jeremy scadden constructio</a>		
<input type="checkbox"/> Message:	<a href="#">ROUTINE</a>	<input type="checkbox"/> Street:		<input type="checkbox"/> Excav Phone:			

3 tickets found.

[Search](#)

Page 1 of 1

[10](#) per page

<input type="checkbox"/>	Ticket#	Message	County	Town	Street	Near Street	Received	CDC
<input type="checkbox"/> <a href="#">Print</a> <a href="#">Home</a>	062890156	ROUTINE	MINNEHAHA	BRANDON	125 AUGUSTA AVE	COUNTRY CLUB	10/16/2006	BRA
<input type="checkbox"/> <a href="#">Print</a> <a href="#">Home</a>	062760408	ROUTINE	MINNEHAHA	BRANDON	1716 PARKVIEW BLVD	IRONWOOD	10/03/2006	BRA
<input type="checkbox"/> <a href="#">Print</a> <a href="#">Home</a>	062750683	ROUTINE	MINNEHAHA	BRANDON	109 S COUNTRY CLUB AVE	PEBBLE BEACH LN	10/02/2006	BRA

1

[Print Checked](#)

Mail completed form to:

PUBLIC UTILITIES COMMISSION  
500 EAST CAPITOL AVENUE  
PIERRE, SD 57501  
ATTN: SOUTH DAKOTA ONE CALL BOARD

0000-009  
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UTILITIES COMMISSION

## COMPLAINT

COMPLETE INFORMATION IS REQUIRED – ADDITIONAL PAGES MAY BE USED IF REQUIRED

### ALLEGATION OF PROBABLE VIOLATION(S) OF SOUTH DAKOTA ONE CALL LAWS

#### I. ACTION REQUESTED BY:

COMPLAINT FILED BY INDIVIDUAL ☐ OR BUSINESS\* ☒ PERSON FILING COMPLAINT: Wayne Fletcher

COMPANY: City of Brandon ADDRESS: 304 main Ave. PO Box 95 PHONE NUMBER: 605-582-3373

SIGNATURE OF COMPLAINANT: Wayne Fletcher DATE: 11-08-06 EMAIL ADDRESS: wfletcher@cityofbrandon.org

\*If the complaint is filed on behalf of a Company, the person signing this form should have the proper authority to file the complaint.

#### II. ACTION REQUESTED AGAINST:

NAME OF EXCAVATOR/FACILITY OPERATOR: Jeremy Scadden Construction PHONE NUMBER: 605-757-6616

ADDRESS: 120 Olson St. Valley Springs, SD. 57068

WAS A LOCATE REQUESTED FROM SD ONE CALL? YES ☐ NO ☒ LOCATE TICKET #: NONE

START DATE ON TICKET: NONE

DID EXCAVATOR WAIT UNTIL THE START DATE/TIME ON THE TICKET BEFORE COMMENCING EXCAVATION? YES ☐ NO ☐ N/A ☒

WERE BURIED FACILITIES EXPOSED BY HAND OR WITH NON-INVASIVE EQUIPMENT PRIOR TO EXCAVATION? YES ☐ NO ☐ N/A ☒

#### III. FACILITY INVOLVED (IF ANY)

TYPE OF FACILITY INVOLVED: \_\_\_\_\_ OPERATOR OF FACILITY (IF KNOWN): \_\_\_\_\_

OPERATOR ADDRESS: \_\_\_\_\_ PHONE NUMBER: \_\_\_\_\_

DEPTH OF COVER: \_\_\_\_\_ PRESSURE: \_\_\_\_\_ VOLTAGE: \_\_\_\_\_ NUMBER OF CABLE PAIRS: \_\_\_\_\_

#### IV. MARKING

WERE FACILITIES MARKED? YES ☐ NO ☒ N/A ☐

WAS THE MARKING COMPLETE PRIOR TO THE START TIME ON THE TICKET? YES ☐ NO ☒ N/A ☐

DID EXCAVATOR PRE-MARK WITH WHITE PAINT? YES ☐ NO ☒ N/A ☐

WAS THE FACILITY MARKED ACCURATELY (WITHIN 18 INCHES)? YES ☐ NO ☐ N/A ☒

DID EXCAVATOR USE REASONABLE CARE TO MAINTAIN LOCATE MARKS FOR LIFE OF PROJECT? YES ☐ NO ☐



HAVE YOU DISCUSSED THE PREVIOUS STATEMENTS WITH THE OTHER PARTY? YES ☐ NO ☒

IS THERE AGREEMENT? YES ☐ NO ☒ IF NO, PLEASE EXPLAIN: This is another case of no one call made

**V. DAMAGE (IF ANY)**

FATALITIES: \_\_\_\_\_ INJURIES: \_\_\_\_\_ LENGTH OF HOSPITALIZATION: \_\_\_\_\_

ESTIMATED PROPERTY DAMAGE (\$): \_\_\_\_\_ NUMBER OF CUSTOMERS AFFECTED: \_\_\_\_\_

DAMAGED IN: PUBLIC ☐ PRIVATE ☐ (RIGHT-OF-WAY)

PHOTOS OF THE DAMAGED FACILITY? YES ☐ NO ☐

ADDITIONAL INFORMATION: \_\_\_\_\_

**VI. PROBABLE VIOLATION**

SPECIFIC STATUE(S) OR RULE(S) THAT WAS VIOLATED: 49-7A-5

ADDRESS/LOCATION OF PROBABLE VIOLATION: 213 Fairway Cir., Brandon, SD 57005

DATE/TIME OF PROBABLE VIOLATION: 09/04/06 to 11/08/06 on multiple occasions during this time period

HAVE YOU DISCUSSED THIS PROBABLE VIOLATION WITH THE PARTY THE ACTION IS FILED

AGAINST: YES ☐ NO ☒

IF YES, NAME OF THE PARTY WITH WHOM YOU DISCUSSED THE PROBABLE VIOLATION: \_\_\_\_\_

DESCRIPTION OF PROBABLE VIOLATION: No one call made and the excavator cleared trees and brush for new home and drive way and excavated soil to level lot for new building



213 Fairway Cir. View E.





213 fairway cir View to E.





Loader on 213 Fairway Cir. View to N

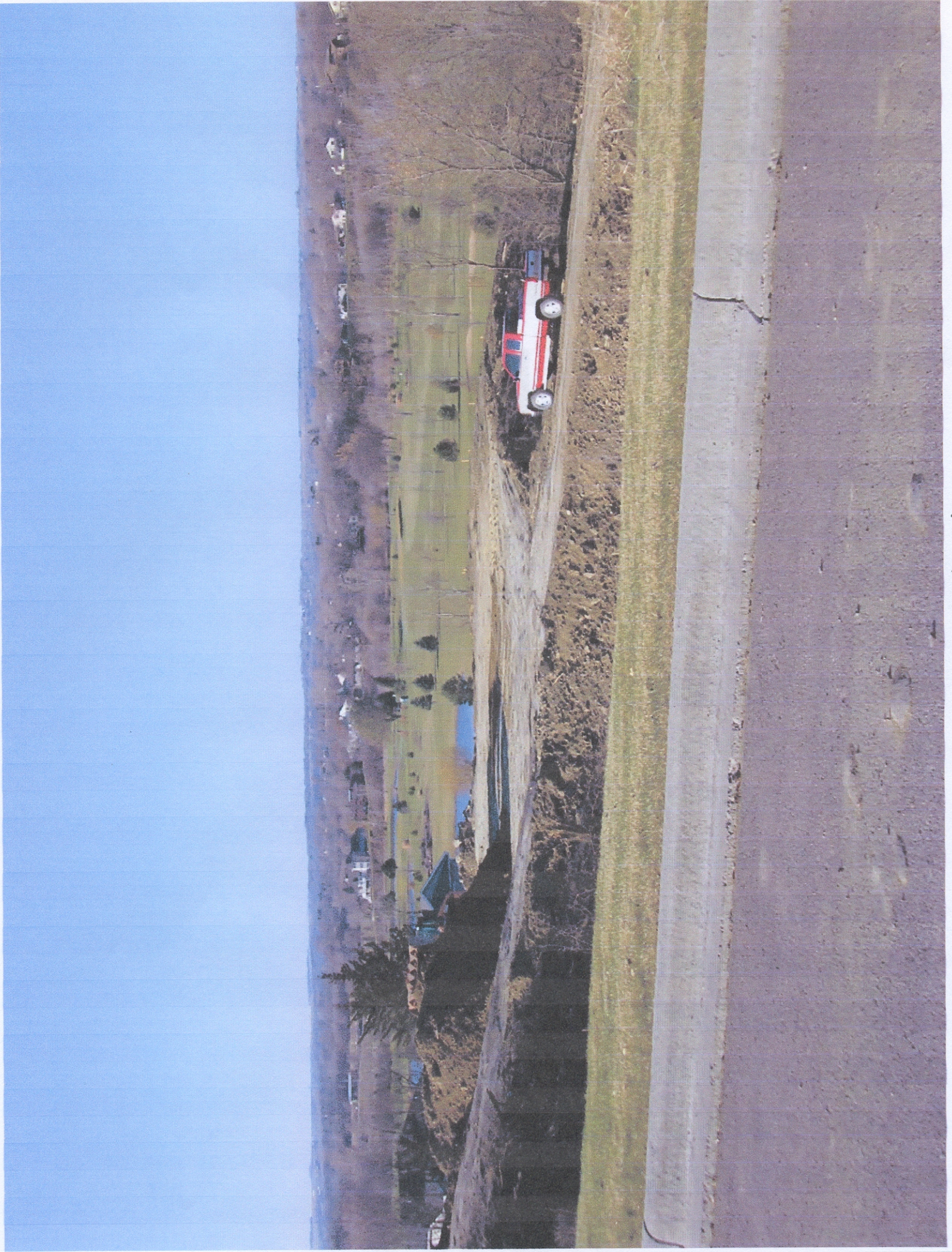






Loaden on 213-Rainway est View to N





View to the west

113 Fairway Dr





213. Fastway Cir

View To W





View To S.W

213- Fairway air





213 fairway cir view to SW



213 fair way view to start of excavation









213 Fair Way Cir View to N.





213 Fairway - air

View to N.







213 fairway cir view to SW